

REMARKS

I. Status of the Claims

Claims 1-45 are pending in this Application.

Claims 1-3, 5-8, 10-19, 21-24, 26-35, 37-39, and 41-45 are rejected under 35 U.S.C. 102(e) as being anticipated by Mao (U.S. Patent No. 6,886,178).

Claims 4, 20, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mao in view of Kakizaki (U.S. Patent No. 6,229,883).

Claims 9, 25, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mao in view of Park (U.S. Patent No. 6,724,981).

Claims 1, 14-17, 30-33, and 43-45 are independent.

With this response, claim 45 is amended. No new matter has been added.

II. Rejection of Independent Claims 1, 14-17, 30-33, and 43-45

The Office Action rejects independent claims 1, 14-17, 30-33, and 43-45 under 35 U.S.C. 102(e) as being anticipated by Mao. However, the Applicant respectfully submits that Mao fails, for example, to disclose, teach, or suggest:

“... transmitting a second configuration parameter to the end user without receiving interactive information from the end user terminal, the second configuration parameter identifying the control channel with a second transport stream; and
transmitting the service to the end user terminal over the second transport stream”

as set forth in claim 1 (emphasis added), and as similarly set forth in each of claims 14 and 15.

As another example, Mao fails to disclose, teach, or suggest:

“... receiving a second configuration parameter through the control channel without providing interactive information,

the second configuration parameter identifying the control channel with a second transport stream; and

accessing, at the end user terminal, the service over the second transport stream”

as set forth in claim 16 (emphasis added).

The Office Action, apparently equating the “control map HPMT” of Mao with the “control channel” of claims 1 and 14-16, the “new PID” of Mao with the “second configuration parameter” of claims 1 and 14-16, the “video program” of Mao with the “service” of claims 1 and 14-16, and a stream corresponding to the “new PID” of Mao with the “second transport stream” of claims 1 and 14-16, contends that such is disclosed among Fig. 1, column 3 lines 65-67, and column 11 lines 1-43 of Mao.

However, Mao fails, for instance, to disclose, teach, or suggest that the “video program” of Mao is transmitted over a stream corresponding to the “new PID” of Mao. Instead, Mao merely discusses that:

“... after the change of PID of HPMT in HPAT, the control map HPMT is transported in the new PID immediately after the new HPAT is transmitted”
(see Mao col. 11 ln. 25-27; emphasis added).

As further example, Mao fails to disclose, teach, or suggest:

“... transmitting a second configuration parameter to the end user using without receiving interactive information from the end user terminal, the second configuration parameter identifying the control channel with a second portion of the transport stream; and

transmitting the service to the end user terminal over the second portion of the transport stream”

as set forth in claim 17 (emphasis added), and as similarly set forth in each of claims 30 and 31.

As an additional example, Mao fails to disclose, teach, or suggest:

“... receiving a second configuration parameter through the

control channel without providing interactive information, the second configuration parameter identifying the control channel with a second portion of the transport stream; and

accessing the service over the second portion of the transport stream”

as set forth in claim 32 (emphasis added).

The Office Action, apparently equating the “control map HPMT” of Mao with the “control channel” of claims 17 and 30-32, the “new PID” of Mao with the “second configuration parameter” of claims 17 and 30-32, the “video program” of Mao with the “service” of claims 17 and 30-32, and a “portion of the stream” corresponding to the “new PID” of Mao with the “second portion of the transport stream” of claims 17 and 30-32, contends that such is disclosed among Fig. 1, column 3 lines 60-66, column 5 line 65 - column 6 line 5, column 8 lines 13-23, column 7 lines 15-25, column 8 lines 33-45, column 9 lines 3-10, column 10 lines 2-7, and column 11 lines 1-43 of Mao.

However, Mao fails, for instance, to disclose, teach, or suggest that the “video program” of Mao is transmitted over a “portion of the stream” corresponding to the “new PID” of Mao. Instead, Mao merely discusses that:

“... after the change of PID of HPMT in HPAT, the control map HPMT is transported in the new PID immediately after the new HPAT is transmitted”
(see Mao col. 11 ln. 25-27; emphasis added).

As another example, Mao fails to disclose, teach, or suggest:

“... generating at least one configuration parameter including the control channel for the service; [and]

... transmitting the service including the control channel over the first transport stream, whereby the end user terminal accesses the service by reading the at least one configuration parameter ...”

as set forth in claim 33 (emphasis added), and as similarly set forth in each of claims 43 and 44.

The Office action apparently equates the “PID of HPMT” of Mao and the “new PID” of Mao with the “configuration parameter” of claims 33, 43, and 44, the “control map HPMT” of Mao with the “control channel” of claims 33, 43, and 44, and the “video program” of Mao with the “service” of claims 33, 43, and 44.

However, Mao fails, for instance, to disclose, teach, or suggest that the “video program” of Mao is accessed by reading the “PID of HPMT” of Mao or the “new PID” of Mao. Instead, the cited portions of Mao merely discuss that:

“... after the change of PID of HPMT in HPAT, the control map HPMT is transported in the new PID immediately after the new HPAT is transmitted”
(see Mao col. 11 ln. 25-27; emphasis added).

As an additional example, Mao fails to disclose, teach, or suggest:

“... receiving at least one program identifier corresponding to a service on a network; and

selecting a control channel from the network corresponding to the program identifier ...”

as set forth in claim 45 as amended herewith (emphasis added).

The Office Action apparently equates the “PID of HPMT” of Mao and the “new PID” of Mao with the “program identifier” of claim 45, the “control map HPMT” of Mao with the “control channel” of claim 45, and the “video program” of Mao with the “service” of claim 45.

However, Mao fails, for instance, to disclose, teach, or suggest that the “PID of HPMT” of Mao or the “new PID” of Mao corresponds to the “video program” of Mao. Instead, the cited portions of Mao merely discuss that:

“... after the change of PID of HPMT in HPAT, the control map HPMT is transported in the new PID immediately after the new HPAT is transmitted”
(see Mao col. 11 ln. 25-27; emphasis added).

In view of at least the foregoing, the Applicant respectfully submits that claims 1, 14-17, 30-33, and 43-45 at least with the amendment herewith, as well as those claims that depend therefrom, are in condition for allowance.

III. Dependent Claim Rejections

The Applicant does not believe it is necessary at this time to further address the rejections of the dependent claims as the Applicant believes that the foregoing places the independent claims in condition for allowance. The Applicant, however, reserves the right to further address those rejections in the future should such a response be deemed necessary and appropriate.

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CONCLUSION

The Applicant respectfully submits that this Application is in condition for allowance for which action is earnestly solicited.

If a telephone conference would facilitate prosecution of this Application in any way, the Examiner is invited to contact the undersigned at the number provided.

AUTHORIZATION

The Commissioner is hereby authorized to charge any fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4208-4060.

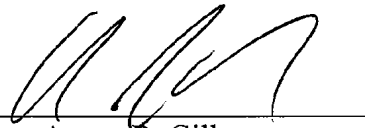
Furthermore, in the event that an additional extension of time is required, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-noted Deposit Account and Order No.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: May 23, 2007

By:

A handwritten signature in black ink, appearing to read 'A. R. Gill', is written over a horizontal line.

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